

I. Call to Order/Roll Call

Chairman Paul Salafia reconvened the Regular meeting of the Board of Selectmen to order at 7:06 P.M. in the Selectmen's Conference Room at the Town Offices. Present were: Chairman Salafia and Selectmen Alex Vispoli, Brian Major, Mary Lyman and Dan Kowalski. Also present were: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

II. Executive Session

Chairman Salafia called the Executive Session to order at 6:10 P.M. in the Board of Selectman's Conference Room in the Town Offices. On a motion by Selectman Lyman and seconded by Selectman Kowalski, the Board voted 3-0 to enter into Executive Session to discuss the purchase, exchange, lease or value of real properties and that the Chairman declare that an Open Meeting may have a detrimental effect on the Board's position if discussed in Open Session. Roll call: Chairman Salafia-Y, Selectman Lyman-Y, Selectman Kowalski-Y. Selectman Vispoli and Major arrived after the meeting opened. At 7:02 P.M. on a motion duly made and seconded, the Board voted 5-0 to adjourn from Executive Session and move to Open Session and to return to Executive Session. Roll call: Chairman Salafia-Y, Selectmen Lyman-Y, Kowalski-Y, Major-Y and Vispoli-Y.

III. Opening Ceremonies

Chairman Salafia asked for a Moment of Silence followed by the Pledge of Allegiance led by former Selectman John Hess.

IV. Communications/Announcements/Liaisons

The Town Manager made the following announcements:

~A September 11th Ceremony will be held Tuesday morning at 8:30 a.m. in front of the Town Offices.

~The Groundbreaking Ceremony for the new Bancroft School will be held on October 4th at Noon.

~The Town is in the process of creating a Facebook page and is expected to be ready by the end of the month.

~The DCS Winter Catalog is now available and registration for programs is available on-line.

Town Clerk Larry Murphy reported on the State Election held on Thursday, September 6th with 16% of Andover residents voting. The Town Clerk said he appreciated everyone's involvement and thanked former Town Clerk Randy Hanson for volunteering to assist in the Town Clerk's office which was short-handed. The Board of Registrars will have a registration table at Andover Days on Saturday.

Selectman Major recognized and thanked Selectman Alex Vispoli for getting involved in the political process by running for State Senate and representing Andover in a very professional manner.

Selectman Vispoli reported that the Massachusetts Innovation Grants are now available and challenged Town Departments to apply for the grant with innovative ideas.

Selectman Kowalski reported the Andover Cultural Council is holding a Grant Writing

Workshop on Saturday. The ACC administers State funds for cultural events and applications are due by October 14, 2012. For additional information, please contact them at ACC01810@gmail.com.

Chairman Salafia said Andover Day showcases Andover and encouraged everyone to attend. He also invited residents to attend the September 11th Ceremony on Tuesday. He announced that the Recycling Committee will meet on Wednesday, September 12th at 7:30 P.M. in the Selectmen's conference room and that the meeting is open to the public.

Selectman Lyman reported on the Tour of School Facilities noting that AHS had 59 classrooms painted this Summer. There was a discussion on the need for additional classrooms due to the increased enrollment and expects there will be more discussions on changes at AHS. Selectman Lyman also reported on the Town Accountant's Annual Review stating she and Selectman Major continue to work with Rod Smith on this.

V. Citizens Petitions & Presentations

John Pasquale, 47B Whittier Street, proposed that the Board move to the Public Hearing and Consent Items on tonight's agenda first.

Sheila Doherty, Juniper Road, issued an invitation to make an appointment to take part in the Simulation Program – Distractology 101 for texting and driving which is the highest cause of automobile deaths for teens. The simulator is available for one week from Noon to 8:00 P.M. from Tuesday through Friday at Doherty Insurance on Elm Street.

A resident suggested that a left-hand turn signal at the intersection of Routes 133 and 28 would be extremely helpful. The Town Manager said he will ask the Safety Officer to look into the request.

Mary Carbone, 3 Cyr Circle, suggested that Town employees who maintain the Town's ballfields could also perform the work at Spring Grove Cemetery instead of outsourcing the mowing of the lawn.

VI. Public Hearings

A. Columbia Gas of Massachusetts

Chairman Salafia read the three requests from Columbia Gas of Massachusetts for permission to excavate in the following public ways for the purpose of replacing and/or extending its gas mains:

1. Replace approximately 450 feet of 6 inch low pressure main on Corbett Street; 1,290 feet of 4 inch low pressure main on Topping Road; 130 feet of 2 inch low pressure main on Celia Street and 75 feet of 4 inch low pressure main on Juliette Street. This work is being done due to a municipal road paving project planned for this area. The approximate location of the work is found on Plan numbers L12C6002 and L12B6002 dated 3/20/12.
2. Replace approximately 1,182 feet of existing 4 inch medium pressure cast iron gas main on Chestnut Street with 2 inch high pressure HDPE and install a 45-foot road crossing at Sherry Drive. This work is being done due to the condition of the existing main. The approximate location is shown on Plan #3122012-D dated 3/21/12.

3. Replace 535 feet of bare steel main on Alden Road from Porter Road to #9 Alden Road; install 1,127 feet of new main on Alden Road from #9 Alden Road to Nutmeg Lane; install 800 feet of new main on Nutmeg Lane from Alden Road to Lantern Lane and install 590 feet of new main on Lantern Road from Alden Road to Hidden Road. This work is being done to provide new gas services to 14 homes on Alden Road, Lantern Lane and Nutmeg Lane. The approximate location of the work is shown on Plan #L12D0001 dated 8/15/12.

All of the requests have been reviewed and approved by the Department of Public Works with the condition that street opening permits must be obtained from the DPW prior to the commencement of any construction.

Discussion: John Hess, 145 Chestnut Street, inquired about the work to Chestnut Street asking when it will begin and if the road will be totally repaved. The representative from Columbia Gas reported they will patch trench the roadway openings but will not repave the entire road. Work on private property will be returned to its original condition. They anticipate beginning all of the work in 4-5 weeks with eight crews assigned to different projects and expect the work to be finished before Winter. Mr. Hess noted that Chestnut Street has had several cuts into the pavement and suggests the street be totally repaved. Selectman Major said he would like to see the drawing of Chestnut Street showing the cuts, who made them, and where the 1200' of work to be done is located. Chairman Salafia said repaving the road would be setting a precedent to their five-year policy.

Selectman Lyman motioned to approve items 1 and 3 as previously outlined. The motion was seconded by Selectman Major and voted 5-0 to approve.

Selectman Major motioned to continue the Public Hearing for item 2 to Monday, September 24th at the Board of Selectmen's Meeting at 7:00 P.M. and prior to that, documents showing the length of the street, previous cuts and the proposed work outlined in item 2 be reviewed. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. Transfer of Innholder's All-Alcoholic Beverages License

Selectman Lyman motioned to approve the request of WHG Andover Inn LLC, 914 Hartford Turnpike, Waterford, CT, d/b/a Andover Inn, for a transfer of the Innholder's All-Alcoholic Beverages License for 4 Chapel Avenue, Andover, MA, from Aramark Educational Services LLC, 1101 Marker Street, Philadelphia, PA, d/b/a Andover Inn. Charles L. Moran is the designated Manager of record. The license will be effective through December 31, 2012. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Major and voted 5-0 to approve.

C. Common Victualler's All-Alcoholic Beverages License

Selectman Lyman motioned to approve the request of Sal's 34 Park LLC, 354 Merrimack Street, Lawrence, MA, d/b/a Salvatore's, for a Common Victualler's All-Alcoholic Beverages License for use at 34 Park Street, Andover, MA. Peter Philip Ackerman is the designated Manager of record. The license will be effective through December 31, 2012. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Major and voted 5-0 to approve.

VII. Regular Business of the Board

A. Water Meter Installation

Acting DPW Director Chris Cronin reported on the installation of the new water meters stating there are 394 water and irrigation residential meters and 73 commercial meters remaining to be changed for a total of 526 residential, irrigation and commercial meters remaining to be transferred. Two mailings have been sent to residents as well as door hangings requesting they contact the DPW to schedule an appointment – 96.6% of residents are in compliance. The Board discussed how to encourage 100% participation.

On a motion by Selectman Major and seconded by Selectman Lyman the Board adjourned from the Board of Selectmen to Water-Sewer Commissioners.

Brian Major motioned to abandon all old meters. This would result in all non-electronic metered accounts to be deemed a non-metered accounts. Non-metered accounts can then be charged a minimum quantity (volume) used. Andover Water has suggested a charge for 10,000 cubic feet/6 months. This would equate to a charge of \$292 for a water only customers and \$613 for water and sewer customer. The motion was seconded by Mary Lyman and voted 5-0 to approve. Roll call: Chairman Salafia-Y, Selectman Vispoli-Y, Selectman Major-Y, Selectman Lyman-Y, and Selectman Kowalski-Y.

On a motion by Brian Major and seconded by Mary Lyman it was voted 5-0 to reconvene from Water-Sewer Commissioners to the Board of Selectmen. Roll call: Chairman Salafia-Y and Selectmen Alex Vispoli-Y, Brian Major-Y, Mary Lyman-Y, and Dan Kowalski-Y.

B. New Fee Structure – Community Development & Planning Department – Second Reading

Selectman Kowalski motioned for the Board accept the proposed revised fee structure for electrical, plumbing and gas permits as presented with revised comments. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

C. Town Yard Continued Work Session and Executive Session

The Board continued their Work Session discussion on the Town Yard on public parcels under consideration. Acting DPW Director Chris Cronin and Acting Plant & Facilities Director Maria Maggio provided an evaluation and scoring of four public sites. 1) Current West Andover Fire Station and adjacent landfill – score of 79; 2) 163-6 Sanborn School location – score 85; 3) 190-A South School site – score of 81; and 4) the current Town Yard site – score of 88.

Discussion on each site, how and why they were rated was explained by Chris and Maria. Possibilities included building a two story Town Yard at Lewis Street and reducing the need for space by relocating the Water Department to the Water Treatment Plant at some point. The equipment and manpower of the operations are shared and the Sewer/Water/Highway Departments work closely together. The South School site is outside of the existing fields and portions of the land are under the care and custody of the School Department. The West Andover Fire Station site and surrounding area totals 31.2 acres including the landfill which could be used for material storage. Use of the Sanborn School 35-acre site would destroy more vegetation. The sites with the least impact on residential neighborhoods include the current site on Lewis Street and the West Andover site. The South and Sanborn sites would be more difficult to pursue due to the approximate location of residential areas. They should do due diligence to see if there are viable private sites. Chairman Salafia suggested sample visual modules of the

two preferred sites be provided.

D. FY-12 Board of Selectmen & Town Manager Goals Continued Work Session

The Board concluded the evaluation of last year's goals and will have FY-13 Goals on the next agenda. A review of the results from the last meeting was noted. It was agreed that the Town Manager achieved 78% of the targeted goals set for FY-12 – Debt Analysis: 20%; Sustainable Savings: 43.8%; Action Plan Implementation: 5%; and Free Cash: 10%.

Selectman Kowalski motioned that the Town Manager achieved 78.8% of the targeted goals for FY-12 resulting in a 2% merit increase and 1/2% bonus per guidelines defined in FY-12 Goals. The motion was seconded by Selectman Major and unanimously approved.

E. Use of Space at the Old Town Hall

The Town Manager explained that the Andover Education Association (AEA) has expressed an interest in renting the back office (433 sq. ft.) at the Old Town Hall. The hours of use would be limited to normal business hours. The Board asked the Town Manager to determine what the space is worth and to check comparable rates to determine rental cost.

F. Order for the Final Sewer Betterments

Selectman Kowalski motioned for the Board to sign the Order for the Final Sewer Betterments for the Lincoln Street sewer extension. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

G. Deed for the Conveyance of Land to Conservation Commission

Selectman Kowalski motioned that the Board receive as a gift and sign the Deed for the conveyance of land at 337-341 South Main Street to be managed and controlled by the Conservation Commission. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

H. Drop-box Presentation

The Town Manager stated that goal for the use of Dropbox by the Board of Selectmen is to have it for the September 24th agenda with items available in Dropbox on September 21st. He noted that remote storage area accessed from the Cloud will be an intermediate step as Paul Puzzanghera has a plan for the entire Town to use.

I. Future Meeting Dates

The Board agreed to set future meetings dates for October, November and December 2012 and January 2013 as follows: October 1st and 15th, November 5th and 19th, December 3rd and 17th and January 7th and 21st. The Mid-Year Review will be held on November 15, 2012.

VIII. Consent Agenda

A. Common Victualler License Requests

Selectman Major motioned to approve the requests of 1)WHG Andover Inn LLC, 914 Hartford Turnpike, Waterford, CT, d/b/a Andover Inn, for a Common Victualler license for use at 4 Chapel Avenue, Andover, MA.; and 2) Sal Lupoli, Sal's 34 Park LLC, 354 Merrimack Street, Lawrence, MA, d/b/a Salvatore's, who has applied for a Common Victualler license for use at 34 Park Street, Andover, MA. The licenses will be effective through December 31, 2012. The requests have been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met

prior to the issuance of the license. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

B. Live Entertainment License Request

Selectman Major motioned to approve the request of WHG Andover Inn LLC, 914 Hartford Turnpike, Waterford, CT, d/b/a Andover Inn, for a Live Entertainment license for Saturdays from 4:00 P.M. to 1:00 A.M. and Sundays from 1:00 P.M. to closing at 4 Chapel Avenue, Andover, MA. The license will be effective through December 31, 2012. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

C. Secondhand Dealer/Pawnbroker License Request

Selectman Lyman motioned to approve the request of Tianqi Wang, 15 Orchard Crossing, Andover, MA, d/b/a Asian Art Academy, for a Secondhand Dealer/Pawnbroker License for use at 204 Andover Street, Suite 102, Andover, MA. The license will be effective through April 30, 2013. The request has been reviewed and approved by the Inspector of Buildings and the Town Clerk and is subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Major and voted 5-0 to approve.

D. Ninety-Nine Restaurant & Pub – Changes to All-Alcoholic Restaurant License

Selectman Major motioned to approve the request of the 99 Restaurants of Boston LLC, d/b/a 99 Restaurant & Pub, 464 Lowell Street, Andover, MA, for a new Officer/Director, new Stockholder, Transfer of Stock and Issuance of Stock on their All-alcoholic Restaurant license. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

E. Bertucci's Brick Oven Ristorante – Change of Manager Request

Selectman Lyman motioned to approve the request of the Bertucci's Restaurant Corporation, d/b/a Bertucci's Brick Oven Ristorante, 155 Otis Street, Northborough, MA, for a Change of Manager on their Wine & Malt Restaurant License at 90 Main Street, Andover, MA. Jared Hoffman will be the designated Manager of record. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

F. Block Party Request

Selectman Kowalski motioned to approve the request of Chris Huntress, 17 Tewksbury Street, for permission to use the Ballardvale Playground on Sunday, September 23, 2012 from Noon to 4:00 P.M. for the annual Ballardvale Block Party. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Vispoli and voted 5-0 to approve.

G. Appointments and Re-appointments

On a motion by Selectman Major with a second by Selectman Vispoli, the Board motioned to unanimously approve the following appointments recommended by the Town Manager:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>FIRE RESCUE</u>			
Thomas V. Kennedy, III	Firefighter (v. R. Beal)	F772-1/\$54,4719/11/12	
Carl F. Morrison	Firefighter (v. W. Valentine)	F726-1/\$49,519	9/11/12
Timothy J. Bartlett	Firefighter (v. K. Moore)	F772-1/\$54,4719/11/12	

COMMUNITY DEVELOPMENT & PLANNING DEPT. – Building Division

Christopher A. Clemente	Inspector of Bldgs. (v. K. Gilmore)	IE-28-5-2/\$88,153	9/11/12
Richard Danforth	Plumbing, Gas & Sewer Inspector (v. D. DiBartolomeo)	IE-22-5/\$66,402	9/24/12

Selectman Lyman motioned to approve the recommendation for the positions of:

COMMUNITY DEVELOPMENT & PLANNING DEPT. – Conservation Division

Lynn M. Viselli	Admin. Secretary (v. W. Adams)	IE14-1/\$42,529	9/24/12
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DEPARTMENT OF PUBLIC WORKS – Water Division

Fredrick J. Graham	Water Distribution Maintenance (v. K. Kefferstan)	W5-2-0/\$48,400	9/11/12
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MEMORIAL HALL LIBRARY

Connor Batsimm	Page – PT (v. V. Napolitano)	L1/1/\$8.00/hr.	9/4/12
Katie Bergmeier-Esterberg	Page – PT (v. C. Pramas)	L1/1/\$8.00/hr.	9/11/12

CULTURAL COUNCIL – Terms expire 6/30/15

Nora Kay Pelt
Linda Carpenter

The motion was seconded by Selectman Major and voted 5-0 to approve.

IX. Approval of Minutes from Previous Meetings

On a motion by Selectman Kowalski and seconded by Selectman Lyman, the Board motioned to approve the Special Meeting Minutes of August 13, 2012 and the Regular Meeting Minutes of August 20, 2012. The motion was voted 5-0 to approve.

X. Adjournment

At 10:02 P.M. on a motion by Selectman Major and seconded by Selectman Vispoli it was unanimously voted to adjourn the Regular Meeting of September 10, 2012.

Respectfully submitted,

Dee DeLorenzo, Recorder

Documents: Memo regarding Water Meter Replacement Program from Acting DPW Director Chris Cronin
Memo regarding updated Electric, Plumbing & Gas Fees from Acting Inspector of Buildings Chris Clemente
Memo regarding final Sewer Betterment – Lincoln Street from Town Engineer Brian Moore
Minutes of August 13, 2012 and August 20, 2012